

02-06-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

**UNITED STATES PATENT AND TRADEMARK OFFICE
RE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re: Laureate Learning Systems, Inc.

Serial No.: 76/226,904

Applicant: Laureate Learning Systems, Inc.


Application Filed: March 20, 2001

Mark: LAUREATE

Atty/Docket No: B08208-00005

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

	<u>2/04/03</u>
Signature	Date
Peter B. Kunin, Esq.	
(type or print name of person certifying)	

Box TTAB
NO FEE

Burlington, Vermont
05402-0190

ASSISTANT COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, VA 22202-3513

February 4, 2003

Attn: Shirley Hassan, Paralegal Specialist

REQUEST FOR ADDITIONAL THREE MONTH SUSPENSION

Applicant hereby requests that the Board continue to suspend further action on this case for an additional period of three (3) months, until May 14, 2003.

By way of background, at Applicant's request dated November 4, 2002, the Board suspended action in this appeal until February 14, 2002. The purpose of Applicant's request was to use the initial three (3) month suspension period to attempt to enter into a consent agreement with Mr. Edward T. Scully, the owner of the mark in U.S. Registration No. 1508958.

As explained in Applicant's initial request for a suspension dated November 4, 2002, the Trademark Examining Attorney refused registration of Applicant's mark LAUREATE based on

a determination that Applicant's mark LAUREATE, when used in connection with the identified goods, so resembles the mark in U.S. Registration No. 1508958 as to be likely to cause confusion, to cause mistake, or to deceive. In that November 4, 2002 request, Applicant explained that, that if it could obtain an appropriate consent agreement from Mr. Edward T. Scully during this three (3) month period, Applicant would so notify the Board, and Applicant would then ask the Board to remand Applicant's application to the Trademark Examining Attorney for consideration of the consent agreement as new evidence.

During the initial three (3) month suspension period, Applicant discussed with Mr. Edward T. Scully the terms of a possible consent agreement. On January 13, 2003, Applicant presented Mr. Scully with a written proposal for a consent agreement. Applicant believes that it has a reasonable chance of concluding a consent agreement with Mr. Scully. Applicant would use this additional three (3) month suspension period to attempt to do so.

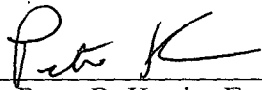
On account of its request for a continued suspension of this appeal until May 14, 2003, Applicant notes that it will not be filing its brief on appeal in advance of the February 14, 2003 due date for such brief. Applicant's attorney, the undersigned, spoke with Shirley Hassan, Paralegal Specialist, on February 4, 2003, regarding this request for an additional three (3) month suspension of this case. If the Board declines to grant the three (3) month suspension as requested herein, Applicant requests, in the alternative, a sixty-day extension of time in which to file its brief on appeal in this case. As grounds in support of this request for extension of time, Applicant asserts that it has delayed preparing its brief during the pendency of its attempt to enter into a consent agreement with Mr. Edward T. Scully.

Please feel free to telephone or email the undersigned if Applicant's attorney can answer any questions regarding this request for an additional suspension.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

Dated: February 4, 2003

By: 
Peter B. Kunin, Esq.
(802) 863-2375
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TRANSMITTAL LETTER

Enclosed is a Request for Additional Three Month Suspension for the above-identified ex parte appeal.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

By: Peter B. Kunin
Peter B. Kunin, Esq.

BTV/235171.1

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